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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

42390P10398

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

August 24, 2004

Signature Gayle M. Bekish
Typed or printed name Gayle M. Bekish

In re Application of
David G. Leeper

Application Number	Filed
09/964,820	09/26/2001
For	
APPARATUS AND METHOD FOR HANDOFF IN A	
Art Unit	Examiner
2634	H. Vartanian

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$330.00

Applicant claims small entity status under 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

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Technology Center 2600

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of the fee transmittal.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No.02-2666. I have enclosed a duplicate copy of the fee transmittal.

A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.

I am the

applicant/inventor.
 assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b)
is enclosed. (Form PTO/SB/96)


Signature

Gregory D. Caldwell, Reg. No. 39,926
Typed or printed name

attorney or agent of record.

08/24/04

attorney or agent acting under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a) _____

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of _____ forms are submitted.

Based on PTO/SB/31 (08-03) as modified by Blakely, Solokoff, Taylor & Zafman (wir) 09/11/2003.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

08/31/2004 HALI11 0000075 09964820

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